

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **XIOMARA SIFUENTES BONILLA**CASE NO: **16-00030-ESL**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **01/07/2016**First Meeting Date: **02/10/2016 at 10:00AM**Days From Petition Date: **35**341 Meeting Date: **02/10/2016 at 10:00AM**910 Days Before Petition: **07/11/2013**Confirmation Hearing Date: **03/11/2016 at 11:00AM**Chapter 13 Plan Date: **02/08/2016** ☐ AmendedPlan Base: **\$23,500.00** Plan Docket # **14**

This is Debtor(s) 1 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:Total Paid In: **\$0.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video ConferenceDebtor: ☒ Present ☐ Absent ☒ ID & Soc. OKJoint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK☒ Examined ☐ Not Examined under Oath☐ Examined ☐ Not Examined under OathAttorney for Debtor(s): ☐ Not Present ☒ PresentName of Attorney Present (Other than Attorney of Record): **FIGUEROA COLON, ESQ**☐ Pro-se☐ Creditor(s) Present ☒ None

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$132.00** Outstanding (Through the Plan): **\$2,868.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor(s) Income is (are) ☒ Under ☐ Above Median IncomeLiquidation Value: **\$ 25,740.00**Commitment Period is ☒ 36 months ☐ 60 months §1325(b)(1)(B)Projected Disp. Inc.: **\$ N/A**The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 100 %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☐ CLOSED ☒ HELD OPEN FOR 27 DAYS

§341 Meeting Rescheduled for:_____

Comments:

*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]
-No objections

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(4)] Plan fails Creditors Best Interest Test.

Debtor has failed to list a value to the household goods in Schedule B.

[1325(a)(5)] Plan fails to comply with required treatment of allowed Secured Claims.

BPPR has objected the confirmation of the plan because debtor does not owe \$7,246.79 in pre-petition arrears, debtor owes \$10,241.72.. Docket no. 12.

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Debtor has failed to commence making plan payments. Debtor is granted 10 days to make the same or a Motion to Dismiss will be filed.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with postpetition DSO payments.

Debtor has failed to submit evidence of being current with post petition DSO payments up until the month of February 2016 or the confirmation of the plan. Debtor has 1 accounts that is being paid through ASUME.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

-Debtor has failed to submit evidence of having filed local tax returns for years 2015.

*OTHER COMMENTS / OBJECTIONS

Debtor must amend the SOFA to list the 2010 Hyundai Brio as property held for another person. This vehicle is under the name of a third party. Debtor will return this vehicle to the owner because she cannot pay the same due to an increase of the child support.

/s/ Mayra Arguelles, Esq., Presiding Officer